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## **Journal of Borderlands Studies 2010, 25(2),pp. 6-21**

### **Neither Arbitrary nor Artificial: Chiefs and the Making of the Namibia-Zambia Borderland**

**Wolfgang Zeller\***

**Abstract,** *In the late 1990s a separatist movement emerged in Namibia's northeastern Caprivi Region. Its supporters' declared goal was to rid what they considered as "their country" from a perceived "foreign" domination by "Ovambos", the core support base of Namibia's SWAPO government. In the aftermath of an armed uprising in 1999 speculation emerged regarding a possible link between the Caprivi secessionists and Lozi separatists across the border in Zambia's Western Province. The Caprivi panhandle was created by the Anglo-German "Heligoland-Zanzibar Agreement" which partitioned the Lozi kingdom in 1890. The Lozi heritage certainly has continuing relevance for Caprivi's population. Through language, kinship relations and economic exchange it serves as an integrative factor of everyday life in the Namibia/Zambia borderland. It does, however, not take the form of political self-identification. I argue that the Caprivi secessionists had no intentions of re-creating a united Lozi kingdom. The present-day positions of authority by the "traditional" leaders of the Fwe (the support base of the secessionists) and other groups in Caprivi were, in fact, created by the territorial separation and system of indirect rule imposed by the German colonial authorities. Thus, the colonial border served vested interests in Caprivi from the outset. Rather than reverting to an imagined pre-colonial past, the secessionists' territorial claim emerged from a more recent legacy of pre-independence state formation: The apartheid regime's attempt to create a Caprivi Bantustan. As in the case of the colonial boundary, this legacy caused new political realities and vested interests to emerge on the ground in Caprivi. The separatists now appear to be a spent force and secessionism in Caprivi is "out". Instead, transnational investment is "in", especially since the completion of a road link from the sea port Walvis Bay to the Copper Belt in 2004. Informal cross-border business ventures in the Namibia/Zambia borderland are flourishing in the shadows of the boom which accompanies the new transport route. The border is once again at the center of vested interests of those who live in its proximity. To call this border "arbitrary" or "artificial" therefore neglects the fact that in nearly 12 decades it has very much become part of the socioeconomic and political landscape of Caprivi. If the border and its borderland are "dangerous" for the Namibian state is a different question, however. The paper is based on 10 months of ethnographic field work carried out in the Caprivi Region and Zambia's Western Province in 2002 and 2004, as well as archival material and evidence emerging from the Caprivi high treason trials in Namibia.*

### **Introduction**

Due to geographical distance and difficult road access Namibia's Caprivi Region and Zambia's Western Province have been, until recently, poorly connected to the two countries'

capital centers of Windhoek and Lusaka. Their peripheral location was reflected in their political status as well. Separatist movements emerged in both areas, which share a cultural heritage that originates from the time before the colonial boundary was imposed. The powerful pre-colonial Lozi kingdom was partitioned in 1890 by the Heligoland-Zanzibar Treaty between Britain and Germany.<sup>1</sup> The agreement, concluded in the later years of the Scramble for Africa, sealed a swap of territories in eastern Africa and off the German North Sea coast. With the Caprivi Strip it also established one of the most recognizable legacies of colonial boundary-drawing on the political map of Africa. In the spirit of the time<sup>2</sup>, the so-called “access corridor to the Zambezi” (Anglo-German agreement of 1890, Article III. 2.) was motivated by German hopes for a direct land connection from the existing protectorate of Deutsch Südwest Afrika (DSWA) to the interior of Southern Africa and the German territories in East Africa. Today the colonial boundary created by the Heligoland-Zanzibar Treaty separates Namibia from Zambia. But the close personal ties among the borderland population have endured. Through language, kinship relations and economic exchange the Lozi heritage continues to serve as an integrative factor of everyday life in the Namibia-Zambia borderland.

The legacy behind the Caprivi panhandle’s odd cartographic shape and present-day socio-political realities in the borderland would seem to sustain a two-pronged proposition widely associated with African boundaries: Firstly, the Namibia-Zambia boundary was *drawn arbitrarily* to exclusively serve European strategic interests in Africa, at the expense of the indigenous population of the borderland which it created. Secondly, the boundary to this day *artificially separates* a people who essentially belong together, rather than to the respective nation-states which claim them as their citizens, but with whose central governments they feel at odds. In this article, I will present the cases of the historical creation and present-day role of two chieftaincies from the Namibia-Zambia borderland as a way to puncture these sweeping propositions. As a point of departure I do not consider Africa’s borders as inanimate structures, or their borderlands merely as passive peripheries which, as Herbst argues, present a problem for the colonial and postcolonial central state in Africa. According to Herbst, colonial boundary-drawing in Africa has created territorial voids into which postcolonial state authority strives to broadcast its power, but fails due to various challenging factors like low population density, overall geographic size and terrain, and the location of the capital city (Herbst 2000). My emphasis is instead on what Das and Poole describe as the agency and “creativity of the margins” of the state (Das and Poole 2004, 19). These margins are sites and

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everyday situations where people and the frontline representatives of the state engage each other. In these engagements the former are not simply passive recipients of central state power, while the role of the latter becomes blurred by the presence of what Lund (2006) calls “twilight institutions”. The actions of both routinely transcend an imagined separation of state versus non-state. As in other borderlands around the world the presence of colonial African boundaries has over time become a central economic and at times political factor directing the movement of goods and people (Asiwaju 1976; Miles 1994; Flynn 1997; Nugent 2002; Englund 2002; Chalfin 2001; Kreike 2004; Niger-Thomas 2001). Smugglers and others living off the opportunities created by the border conduct their business in ways that are often officially illegal, but widely considered as licit by those engaged in them (Schendel and Abraham 2005; see also Roitman 2001, 218). Long-term and in-depth empirical work carried out on African borderlands in recent years suggests that in many cases the continent’s boundaries have become deeply embedded in the vested interests of those residing in borderlands, and that this can be observed from the time of their formal creation during European colonialism. Nugent, for example, argues that during the colonial period the Togo-Ghana border was reinforced on a daily basis by people living alongside it, but often in apparent opposition to the formal laws regulating it (Nugent and Asiwaju 1996, 36; 2002; see also Miles 1994).

In this article my foremost concern is not with the opportunities offered by the Namibia-Zambia border for smugglers and other borderland entrepreneurs (compare Zeller 2007a; Zeller forthcoming), but with another legacy closely associated with the process of colonial boundary-drawing. So-called “chiefs”, “headmen” or “traditional leaders” played a fundamental role in state formation in colonial Africa. In their quest to create spatially and socially stable societies at minimum administrative cost Europeans incorporated, changed or invented chieftaincies (Mamdani 1996)<sup>3</sup>. This legacy continues to have important implications for the nature of state authority in the African postcolony today. Several authors have recently noted a marked resurgence in the role of chiefs in countries across Africa (Oomen 2000, 2005; Friedman 2005; Koelble 2005; Buur and Kyed 2005, 2007; Kyed 2008; Englebert 2002, 2005). African governments increasingly delegate formal tasks to chiefs, who in turn are actively appropriating new roles for themselves in local, regional and national government. Their ability to claim legitimacy through authentic links with the people at the “grassroots” gives them special leverage over those who represent postcolonial state power.

My central argument is the following: to insist on the arbitrary genesis and artificial nature of African boundaries as a root cause of state failure suggests that redrawing these boundaries could be a fix for the supposed ungovernability of African societies. The origin and nature of African boundaries is of course a deeply problematic legacy for postcolonial state formation on the continent. But that is not the entire story. Over nearly 12 decades the Namibia-Zambia border has become an integral part of the socioeconomic and political landscape of the borderland. And some of the opportunities and vested interests associated with the border today were part and parcel of its creation from the start. I argue my case through the history of two chieftaincies on either side of the Namibia-Zambia borderland. I demonstrate that these peripheral actors have a long history of creatively engaging colonial and postcolonial state authority from the margins, and on their own terms. Colonial boundary drawing and the separation of subject people were therefore not just externally imposed, but a process of mutual engagement. The relevance of this engagement and transformation continues today, as the chiefs who represent these interests are still - and even increasingly - well-connected power brokers for the representatives of central state power in the postcolony. Apart from that, the chiefs are also actively engaging other powerful players than their own governments.

In the following sections I first introduce the early encounter of European colonizers and the Lozi leadership along the Upper Zambezi in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries. The article continues with a fast-forward through regional history to the time of Zambian and Namibian independence, and the emergence of separatist tendencies on both sides of the borderland. The final section takes a closer look at the mutual engagement of the state, business investors and the two chieftaincies in the present, followed by some general conclusions.

## **Mutual Engagement: Colonial Intrusion and Chiefs on the Upper Zambezi**

### *British and Lozi Interests and the Sesheke Chieftaincy*

Two decisions relevant to the creation of the Namibia-Zambia border were made in 1890. On June 27 the Lochner Concession was signed by Lozi King Lewanika and Frank Lochner, an agent of Cecil Rhodes' British South Africa Company (BSAC). Six years earlier Lewanika had vigorously asserted his position against competing forces within the kingdom. His reign brought stability after decades of external invasion and internal strife had rendered Buluzi (the Lozi kingdom) weakened and disorganized. Lewanika was, however, aware of old and new rising threats. The powerful Ndebele and Tonga groups had repeatedly raided Buluzi's fringes

and the leaders of the Subiya in Sesheke province showed ambitions to increase their autonomy (compare Shamukuni 1972). A crucial aspect of Lewanika's project of Lozi state formation was therefore the appointment of trusted representatives to secure control over the kingdom's most volatile frontier: Bulozhi's southern provinces Linyanti and Sesheke – the area which today is the Namibia/Zambia borderland (Flint 2003, 402, 406; Mainga 1973, 132f.). Lewanika confirmed Simataa Kabende Mamili, a trusted old ally, as chief of Linyanti. At Sesheke, Lewanika created a senior chieftaincy, to which he appointed his son and later successor Litia in 1893. Livingstone, the regional hub of British colonial intrusion at the time, is located 130 kilometers downstream from Sesheke, which emerged as a gateway for Bulozhi's engagement of the whites (Flint 2003, 410). The European contacts were promising access to education in western skills and trade in foreign goods, including firearms. Aware of the gradual expansion of the Portuguese and Germans into fringe areas of the kingdom Lewanika in 1890 decided to follow the counsel of his confidante French missionary Francois Coillard and invited the protection of the British crown for Bulozhi (Caplan 1969).<sup>4</sup> The Lochner Concession and several follow-up contracts guaranteed the Lozis a large degree of autonomy in administration and taxation (Mainga Bull 1995, 5), a regular salary for Lewanika and the delivery of education and other western services. Lozis today still regard Lewanika's alliance with the British as a mature decision, which provided a degree of internal stability Bulozhi had not seen in the 19<sup>th</sup> century (Flint 2004, 119). Lewanika had however entered into an irreversible process, gradually trading the kingdom's sovereignty for political-military and material protection by the British (Mainga 1973, 171). When BSAC troops defeated the Ndebele in 1893 the Lozis were reassured that they had a powerful, but possibly dangerous ally.

On 1 July 1890, four days after the Lochner Concession, the British and German governments signed the *Heligoland-Zanzibar Treaty*. This was followed in 1891 and 1893 by Anglo-Portuguese deals staking out European territorial interests in western Bulozhi. News about these contracts, which *de facto* truncated Lozi territory, only filtered through to Lewanika in 1895. He had reasons to doubt the integrity of his British allies, but knew he was no longer in a position to exit the relationship. To the British High Commissioner and the Queen, Lewanika wrote in October 1896: "I would like your government to rule all my country and to save my people. I do not wish my country to be divided into two parts between Portugal and Germany. It must be in one part under England" (quoted in Mainga 1973, 193). The losses of territory were significant for the Lozi leadership. The power center of the kingdom relied heavily on

tribute it extracted through trade and coercion from the forested hinterlands. For senior chief Letia at Sesheke the Caprivi Strip was a rich hunting and fishing ground. It also provided dry season pasture, construction materials, labor and women from the Subiya and other subject people in the area. Lewanika's letter and several follow-ups remain unanswered, but the treaties signed in Europe had no immediate impact on the ground. The Portuguese and Germans made little effort to become active in Buluzi. Letia at Sesheke continued to extract tribute from his subject people across the Zambezi in what European maps now represented as German territory.

The slow but steady process of change brought on by BSAC administrators, white traders and missionaries on the upper Zambezi accelerated soon after 1900. In 1903 BSAC divided Barotseland into five districts, one of which became Sesheke – the emerging regional hub for commerce and administration. Resident District Commissioners were commanding an armed native police force of altogether 600 men. In the following years they formally abolished slavery and imposed a hut tax of ten shilling per annum. This caused considerable upset among the Lozi elites. Yet Lewanika's rule was already heavily dependent on his white counterpart's material and political support. His internal opponents were sufficiently intimidated and remunerated to refrain from open rebellion (Caplan 1970, 91). Lewanika received a ten per cent share of the revenue, part of which would trickle down to lower-level chiefs like Litia. Through rigorous coercion by the BSAC in close cooperation with the Lozi leadership in all districts the overall hut tax revenue in Barotseland reached £33,000 by 1907 (Caplan 1970, 86f.). The material base of the Lozi elites thus shifted from direct extraction of tribute and labor to monetary income distributed to them by the British authorities. They gradually adopted the luxuries and etiquette of a European lifestyle while high-born Lozi youths were educated in missionary schools and groomed to take their place in the Lozi bureaucracy (Mainga 1973, 206). Lewanika himself was at the forefront of the increasing self-identification of Lozi royalty as members of Britain's imperial aristocracy (compare Parsons 1998). The common Lozi people had to find sources to earn cash income. By the early 1910s thousands of Lozi men were migrating every year to work in the mines and commercial farms and on the lines of rail in the Rhodesias and South Africa (Van Horn 1977; Gluckman 1941).

In 1911 BSAC established the protectorate of Northern Rhodesia. The so-called Barotseland Province was given a high degree of autonomy, but was kept as a deliberately undeveloped native labor reserve. After Lewanika's death in 1916 his son Letia, under the title Yeta III, assumed the Lozi throne. Following the German loss of Caprivi at the outbreak of

WWI (see below) Yeta III unsuccessfully lobbied for a return of Caprivi to Barotseland, but did manage to secure a special arrangement which enabled his subjects to make continued use of selected natural resources across the border. Royal hunting parties received special permissions to visit Caprivi and certain river islands and backwaters were designated for fishing and harvesting of construction material for the royal palace at Sesheke. These so-called “Barotse Privileges” were in place until Zambian independence in 1964 (Hangula 1993, 71).

In retrospect, the British in 1890 clearly misled Lewanika to believe that his autonomy and the territorial extent of his power would be preserved. On the other hand, the Lozi-British engagement consolidated the power of Lewanika, thereby resulting in increased political stability for the heartland of Bulozhi and considerable material wealth for its ruling elites. For Letia his chieftaincy at Sesheke provided a solid economic and political base from which to learn the craft of the statesman who later assumed the Lozi leadership. Lewanika and Letia were therefore not only passive recipients of the power projected outward by the British colonial system. They were able to creatively engage with the British colonizers for their own personal advantage and that of the inner circles of Lozi power. And for nearly two decades, the loss of Lozi territory, sealed by the 1890 Anglo-German treaty, had in fact no significant impact on the ground.

#### *Raising the Kaiser’s Flag at the Zambezi – the Schuckmannsburg Chieftaincy*

The Heligoland-Zanzibar Treaty inspired German dreams of a cross-continental transport link. DSWA also needed water and labor resources, which seemed available in great abundance via the access corridor. Reality soon grounded such colonial fantasies. Reaching the Zambezi from the established German outposts proved much more difficult than anticipated in 1890. In the colony and the Reich the value of the unproductive backwater on the Zambezi was openly questioned (Allgemeine Zeitung 1907-08). From 1905 however the aggressive military and political expansionism of Kaiser Wilhelm II led to a more vigorous exploration of the overseas territories for raw materials production and trade (Sandner and Rössler 1994, 118). German interest in the access corridor to the Zambezi was rekindled and more reliable scientific data was in great demand.<sup>5</sup> After the extermination war against the Herero and Nama (1904-08) German settlement surged and diamond deposits were discovered near Lüderitzbucht. The colony urgently needed to increase its indigenous labor force. The colonial lobby’s publications and newspapers in DSWA also speculated over possible mineral deposits in Caprivi (Seiner 1909; Deutsches Kolonialblatt 1907, 25, 73). During the same period the British and German authorities came to regard the Caprivi Strip as a lawless zone (Deutsches



Kolonialblatt 1908, 1153). The area's abundant wildlife and other unregulated commercial opportunities had attracted a colorful lot of traders, prospectors and frontiersmen, among them individuals who had been uprooted and displaced by the Second Anglo-Boer War.<sup>6</sup> On 19 June 1908 Lord Selborne, the High Commissioner for Bechuanaland and Northern Rhodesia demanded that the German authorities establish police control in Caprivi. DSWA Governor von Schuckmann reacted by declaring Caprivi off limits for all whites and sent an expedition to the Zambezi.

After an arduous three-month journey through the Kalahari by Hauptmann Kurt Streitwolf, three white and fourteen black troops, the German flag was hoisted in February 1909 at a place the German resident named "Schuckmannsburg". It was located just across the Zambezi from Sesheke. According to his own by no means impartial accounts, Streitwolf encountered little resistance in his campaign to police the German territory. To his superiors he also reported that Caprivi had no convincing traces of valuable minerals, a dangerous climate for European settlement and a moderate potential as a labor reserve, mainly restricted by the difficult transport access (Streitwolf 1911, 229-234). Streitwolf's most delicate task was the setting up of a functioning administration with minimal resources in a large remote territory. His strategy from the outset was to find a working relationship with the natives and his British colleagues based on careful negotiation (Streitwolf 1911, 22-28). The German resident however encountered a major obstacle: Upon his arrival at Schuckmannsburg, Streitwolf discovered that the German side of the borderland near the Zambezi was nearly unpopulated. Prior to his arrival, the Subiya people from the area had largely relocated onto British territory. Streitwolf alleged that chief Litia had, through persuasive and coercive force, urged them to move across the Zambezi with their livestock.<sup>7</sup> After three months of negotiations with Letia and his British counterparts Streitwolf was able to partially reverse the exodus of Subiya from German territory. In early May 1909 several hundred Subiya convened at Schuckmannsburg for a meeting called by the resident. Streitwolf reported that the Subiyas' initial reluctance to return and follow his suggestions to select a chief subsided after he managed to convince them that their separation from Letia's rule would be definite: They were now under the protection of the German Kaiser, and no longer required to deliver slave labor, tribute or taxes (Streitwolf 1911, 110). After extended negotiations among themselves the Subiya yielded to Streitwolf's key demand: They selected a paramount chief. Their choice fell on Chikamatondo, a respected senior family headman who had no royal pedigree among the Subiya. Possible candidates of the Liswani clan, which had earlier assumed this status, were either not present or too young in age. On 4 May Streitwolf installed Chikamatondo in a

formal ceremony. The new chief then established his courtyard at Schuckmannsburg. Streitwolf subsequently travelled to Linyanti and on 21 May 1909 gave his approval to the existing chieftaincy of Simataa Kabende Mamili as the senior chief of the Fwe people and several associated subject groups. Streitwolf had thus identified two cultural-linguistic groups inhabiting the German territory which he considered as separate and sufficiently coherent, and affirmed an undisputed leadership for both. He now had administrative counterparts that he could work with.

The first major test for Streitwolf's ability to act on behalf of the new German subjects came in June 1909. In the talks which led to the recognition of the two Caprivi chieftaincies the Subiya and Fwe leaders had alleged that Letia and his Lozi retainers had refused to allow them to take their livestock back across the Zambezi. Streitwolf compiled the evidence given by altogether 120 individuals. After careful preparation with his British counterparts the German resident brought these cases before Letia at Sesheke. Streitwolf considered a successful outcome in this matter as decisive for the "psychological" separation of the population in Caprivi from their Lozi overlords and their recognition of German sovereignty. The lengthy trial process was eventually concluded in August 1909 after direct intervention by the BSAC's senior administrator in Livingstone. Of 486 disputed cattle 291 were released by Letia and returned across the Zambezi (Streitwolf 1911, 112; compare also Flint 2003, 410ff). The significance of this event needs to be considered cautiously and in view of the fact that the other results of German colonial rule in Caprivi are rather modest. During their five year presence the German administration operated on an absolute minimum of financial input, manpower and infrastructure. A very small native police force was trained, but the Germans did not attempt to collect taxes in the territory. The latter was most likely motivated both by the hope to attract more migrants from the British territories, as well as the relative inability of the Germans to administer and enforce their collection. Streitwolf's emphasis on the significance of the cattle trial's outcome as a litmus test for the German ability to govern Caprivi seems justified, however. When discussing the German legacy with present-day inhabitants of Caprivi they never fail to stress: "Those Germans gave us our cattle back" (Mubusisi 2002, Munihango 1996). As Flint notes, the affirmation of the Fwe chieftaincy and the creation of the Subiya chieftaincy, backed up by the cattle trial clearly broke the existing chain of command and allegiance between the previously subordinate peoples in Caprivi and their Lozi overlords. These events were therefore decisive in the affirmation of the partitioning of Bulobi along the colonial boundary and its transition from a mere line on maps to a fact of daily life in the borderland. Chiefs Chikamatondo and Mamili had seized the opportunity to

safely dissociate themselves from Lozi rule, and to gain considerable material advantages at the same time. For Letia this outcome was naturally a setback in his efforts to creatively engage the colonizers on his own terms. However, considering his BSAC tax revenues and the arrangement of the Barotse Privileges, his loss was by no means absolute.

### **From Colonial Labor Reserves to Post-Independence Separatism**

Indirect Rule formally arrived in Barotseland in 1936 when a Barotse Native Government (BNG) was established with a Native Treasury and far-reaching responsibilities in jurisdiction and law enforcement (compare Flint 2004, 136ff). BNG's key revenue came from land and natural resource management and contract labor fees. The Lozi leadership was actively cultivating their self-image of Barotseland as an independent state (Caplan 1968, 346f.). Yet, by the late 1950s this stance was increasingly irreconcilable with the realities of Zambia's approaching independence and rising black African nationalism in Barotseland. Under the terms of the Barotseland Agreement 1964 the Lozi leadership eventually accepted the incorporation of Barotseland into Zambia. Kenneth Kaunda's United National Independence Party (UNIP) promised to recognize the special status of Barotseland and preserve most of the Lozi king's administrative powers. The agreement was however not formally enshrined in the new republic's constitution and therefore an inferior legal document (Mainga Bull 1996, 12). The consequences became apparent soon after Zambia gained independence on 24 October 1964. The UNIP government hardly concealed the fact that they intended to do away with what they regarded as a colonial anachronism incompatible with their vision of African socialism (Caplan 1968, 356). Their strong electorate and the booming nationalized copper industry initially provided the muscle to strip the Lozi leadership of much of their formal fiscal and administrative powers. In 1969 UNIP changed the name of Barotseland to Western Province. Many Lozis were outraged, but Western Province was politically and economically of secondary importance to the central government. A small group of high-ranking Lozis received state salaries and appointments to government positions, sufficient to discourage full-blown opposition.<sup>8</sup> In the absence of efficient state structures on the ground the Lozi administration however continued to play a central role in land and resource management. The wider Lozi population continued to respect and identify with their 'traditional' leadership. As Zambia's economy contracted the relationship with central government developed into a drawn-out stalemate. It deteriorated further after the 1991 elections brought President Chiluba and his Movement for Democratic Change (MMD) into power. In 1996 demands to reinstate the 1964 agreement and threats by radical Lozi nationalists for a secession of Barotseland

from Zambia came to a head. Open conflict was narrowly avoided, but relations remained strained until the presidency of Levy Mwanawasa in 2001 brought the new approach of a central government in search for political allies, and the awakening of regional and global business interests in Western Province.

The Conference of Versailles brought South West Africa (SWA) under a League of Nations Mandate handed to South Africa. At the outbreak of World War II Pretoria took over direct administration of the Caprivi Strip. The Witwatersrand Native Labor Association (WNLA) built an air strip near the new administrative center Katima Mulilo to airlift workers to the Rand mines. By then hundreds of Caprivi men were joining the stream of Lozi laborers setting off from across the Zambezi. Inhabitants from both sides of the Zambezi were allowed to cross the border routinely to attend matters of daily life. Caprivi thus remained more closely linked to the surrounding British colonies than to SWA. From an administrative point of view the rationale that had established the access corridor to the Zambezi was merely a nuisance from a distant past, which had to be dealt with in pragmatic ways. Streitwolf's cost-efficient administrative model of the separate Subiya and Fwe chieftaincies under the supervision of one white government officer remained in use until 1964. That year the Odendaal Commission recommended a roadmap towards a self-governing homeland. Katima Mulilo, the designated seat of the future "bantustan" government, saw an unprecedented inflow of South African officials and inhabitants from the region tasked to carry out the developmental efforts. At considerable cost, the first unpaved road connections from the Botswana border and from Western Caprivi were built. In 1972 the East Caprivi bantustan was inaugurated. A "government" was formed, complete with a constitution, citizenship rules, a state flag and national anthem. The Legislative Council consisted of the Fwe and Subiya chiefs and their senior councilors, all on state salaries. Their duties and powers were considerable in the areas of land and resource management, tax collection and law enforcement. A rift between the two chiefs over the rotating chairmanship of the Council developed into mutual claims of superiority among the "traditional leaders".<sup>9</sup> Chiefs in Caprivi thus consolidated their earlier role in colonial administration.

The Caprivi Strip began to play an important role in South Africa's strategy to block the perceived encroachment of hostile governments and guerrilla movements. The former access corridor transformed into a forward position for cross-border raids by both sides. Namibian independence finally arrived in 1990. Amid high expectations for fast development the impoverished majority population elected the SWAPO party to power with an overwhelming

majority in most regions, but not in Caprivi. Rivalries between the two existing chieftaincies became entangled with the political legacy of SWAPO's years as a guerilla movement. The Fwe leadership supported the main opposition party DTA while Subiya generally supported SWAPO. Government's recognition of a Fwe breakaway-chieftaincy contributed to a gradual process of radicalization. On 2 August 1999 armed militants launched attacks on Namibian government installations in Caprivi, resulting in fifteen casualties and a three-week long state of emergency. The secessionist movement now appears to be a spent force. Their leadership is largely dead, on trial for high treason or in exile<sup>10</sup>. What remains is the SWAPO government's experience of Caprivi as a potential threat to Namibia's territorial sovereignty, its keen interest to spread the official version of liberation history as a unified struggle, and its promises of broad socio-economic development in the region.

### **A New Deal? The Re-engagement of Governments and Borderland Chiefs in the 21<sup>st</sup> Century**

For their own specific reasons, the two governments have re-discovered chiefs in the borderland as interlocutors to bridge the gap between politically volatile hinterlands and the centers of state power. Key to the usefulness of the chiefs is the continued support they enjoy among their subjects. The same institution which used to ensure the supply of tax revenue and native labor is now supplying voters. Yet the chiefs' ability to mobilize "their people" also depends on their ability to show tangible results in a situation of dire scarcity of resources. While direct access to the higher levels of government is conducive to "bringing development", a closer look at recent events in the borderland reveals that by-passing government and making direct links with investors is becoming an attractive option which some chiefs are pursuing in parallel. As in other rural parts of Zambia, the already sparse road network of Sesheke District deteriorated along with all other government services after the onset of the country's long economic downturn in the mid-1970s. Caprivi became accessible by road during the 1960s, but military-strategic and economic realities emphasized air rather than road transport development. This situation has changed dramatically in recent years. With largely German development aid funds 205 kilometers of highway from Livingstone to Sesheke and a road bridge across the Zambezi at Sesheke and Katima Mulilo were constructed in 2004. A 400 kilometer section of the main highway connecting Katima Mulilo with the rest of Namibia was upgraded between the mid-1990s and 2004. The new infrastructure is part of the Trans Caprivi Corridor (TCC), a 2500 kilometer long highway which now connects the Copperbelt of Zambia and DRC (Africa's largest deposit site for the red metal) and Namibia's

state-of-the-art deep sea port of Walvis Bay. The TCC is now an efficient cross-border transport route managed by a transnational alliance of donors, governments, parastatal and private sector companies (Zeller, forthcoming). At a time of rising commodity prices and fierce competition over Africa's mineral wealth the colonial dream of an access corridor to the interior of Southern Africa has come to its 21<sup>st</sup> century fruition. Other large-scale projects in the region have recently been completed or are in the making.<sup>11</sup> One of the results of this development is an unprecedented boom for investment and construction in the Namibia-Zambia borderland. Sesheke and Katima are fast-expanding with new shops, warehouses, truck stops and tourist sector businesses, while squatter camps and informal markets are also growing in the margins of the ongoing boom.

### *Paving the Way to Mwandi: The Chief's New Road*

After they completed the Livingstone-Sesheke road in May 2004 German-South African construction company CONCOR built a three kilometer long feeder road from the new highway to the centre of Mwandi, nowadays a town of five thousand inhabitants. The new road cost 175 000€ and was paid by the government of Zambia. It ends just outside the courtyard of Inyambo Yeta, the great-grandson of Letia and current chief of Sesheke District. Inyambo Yeta was raised with a Western education and a keen sense of responsibility for his heritage. An ambitious up-and-coming professional of international law in 1977, the young Yeta was somewhat forcefully enthroned to inherit the senior chieftaincy of Sesheke District. He continued to pursue his career ambitions and Western life-style, dividing his time between his residence in Mwandi and his urban life in Lusaka. After two eventful decades in Zambian politics<sup>12</sup> Yeta has recently served as vice-chairman of Zambia's Constitutional Reform Commission (CRC) and as chairman of the Zambian House of Chiefs. The House is a forum of traditional leaders from all parts of Zambia and aspires to gain the status of an upper house of parliament. Chief Yeta was directly appointed to both positions by the country's late president, of whom he said in 2004: "I enjoy a very, very personal relationship with President Mwanawasa, because he is a personal friend of mine. We both are lawyers" (Yeta 2004). In May 2004 the two friends travelled together from Lusaka on the presidential jet to attend the official opening of the new road bridge at Katima Mulilo/Sesheke.

In search of much-needed political allies for the constitutional reform process and to secure re-election in 2006 Zambia's ruling party strategically repositioned itself in Western Province. MMD has actively courted the Lozi leadership and their subjects' votes and channeled significant development projects into the area. This has yielded results. In

December 2004 the president was quoted as telling party cadres: "in the 2001 elections, the party did not do well in Western Province. But now I have an impression that the MMD is becoming stronger than ever. Come next elections, we will scoop all the seats in Western Province" (The Post, December 7, 2004).<sup>13</sup> Apart from its political potential, Western Province is also attracting growing economic interests. The region is relatively wealthy in natural resources<sup>14</sup> and the end of the civil war in Angola in 2002 has raised hopes for political stability the wider region had not seen in decades. Following a personal initiative of chief Yeta, the Zambian government agreed to asphalt the feeder road leading to Mwandi (Sandema 2004; Yeta 2004). Chief Yeta is nonetheless cautious regarding the long-term reliability of his access route to the highest halls of government power: "That does not necessarily mean that there is recognition of the institution that I represent. The minute you get a chief who is not in good books with President Mwanawasa, the President will be justified in just ignoring the Royal Establishment and say: 'Oh no, those people there, we don't have any time for them'" (Yeta 2004).

Yet for the time being the new alliance of central government and Lozi chiefs is strong and yielding concrete results across the region. A resident of Mwandi found these words to describe the recent changes: "Now we are a town. We have electricity, a newspaper every day, a road, shops. We only need cell phone contact here still". Many in Mwandi took the new developments as a sign that the government of Zambia was finally, after decades, starting to do something for the Lozi people. Chief Yeta himself has also seen the benefits of change. At a time when some of his younger subjects are openly questioning the future relevance of traditional authority, his ability to bring development to Mwandi was praised by residents, but not without a hint of critique. Handsome material rewards came with the new road for the chief and his associates. Sibeso Yeta, the chief's adult firstborn son has constructed a tourist lodge in Mwandi in 2004 on a communal plot beside his father's residence with a postcard view overlooking the Zambezi River. Such plots along the Zambezi shore line between Sesheke and Livingstone have been in very high demand by investors in tourism and commercial agriculture lately (Mutesa 2008). While Sibeso was busy overseeing the construction work in May and June 2004 other hopeful investors were eagerly lining up to meet his father, and required to pay a fee for a slot in his calendar. Two such men are Wally Herbst and Neil Rix. They refer to themselves as victims of Robert Mugabe's white farm expropriations in Zimbabwe. Their ambitious ideas for investment in and around Mwandi include a petrol station and repair shop at the Livingstone-Sesheke road junction, a chili paprika plantation with attached cannery in Mwandi, and a timber trading business to harvest

and process high-value tropical woods from Sesheke District's forests (Herbst 2004; Barotse Development Trust 2005). To demonstrate their commitment they have renovated, at their own expenses, parts of the chief's palace and the adjacent Barotse Native Government building from the 1940s (Sikupiso 2004; Sandema 2004; Herbst 2004).

The negotiation of business deals in Mwandu today takes place in a legally ambiguous environment. The long stalemate between the Lozi leadership and central government has left land allocation practices in a complex administrative limbo. Investors who wish to establish businesses involving land and natural resources in Western Province must navigate their way through both the sluggish Zambian state bureaucracy and the defiant remnants of Lozi native government (Sandema 2004; Herbst 2004). The cracks and fault lines running through and between the two require careful and often lengthy maneuvering and all kinds of fees. With the recent scramble of investors for a piece of the action in Sesheke District Chief Yeta is able to pick and choose whom he wants to do business with. Not unlike his forefathers, the current chief of Mwandu is poised at a lucrative crossroad, engaging the politicians and investors who eagerly seek to enlist his support on his own terms.

### **The Chief's New Dream: Bio Fuel Made in Schuckmannsburg**

In 2003, 04, 07 and 08 the seasonal floods of the Zambezi resulted in the evacuation of several thousand people from the rural parts of Eastern Caprivi. Entire villages and their livestock moved to higher ground for up to three months. They were sheltered and provisioned for by joint operations of the Namibian government and the Red Cross. Chiefs on all levels of the hierarchy of Subiya traditional authority were involved in the operations. The floods of recent years were undoubtedly severe, but the affected population has lived with the Zambezi's annual cycle for centuries. As Moses Mubusisi of Schuckmannsburg put it: "We are the people of the river. Those floods, we know them." In Caprivi's politically contested environment the SWAPO government's eagerness to rescue their citizens in emergency operations that dominated the national news media for weeks clearly had not only a humanitarian dimension. The floods mainly affected the Subiya-inhabited areas where SWAPO has its bedrock support in the region.

The relationship of chiefs in Namibia and the SWAPO party has a long, but not straightforward history. During the liberation struggle SWAPO denounced chiefs as traitors who collaborated with the white minority regime working against an oppressed black working class. In the run-up to independence, SWAPO quickly shed much of their socialist rhetoric and participated in the drafting of a constitution which laid the legal foundation for the present role



of traditional authorities in Namibia. Several acts of parliament passed since independence have further entrenched the participation of chiefs in the day-to-day governance of Namibia's rural areas. Their official functions now go well beyond acting as "custodians of inherited culture and tradition" in a hazily defined realm of custom (Tötemeyer 2000:132). The Council of Traditional Leaders Act of 1997 (section 2) established a high-profile public platform for chiefs to "advise" the President on policy issues. The Traditional Authorities Act of 2000 section 3(1) provides for the reimbursement of chiefs and their advisors through public funds. It also ascribes members of traditional authorities the role to "assist the Namibian police in the prevention and investigation of crime" (section 3(2)). The Community Courts Act of 2003 formalized the roles and procedures of village tribunals headed by chiefs. Communal land is now managed by land boards which have formalized existing practices of chiefs giving land title deeds. State legislators in Namibia often acknowledge the role of chiefs as one of wise parents whose advise is valued as a direct link to the "traditions" of a primordial past, pure from the corruption of European and other external influences. This depoliticized language mirrors that employed by Namibian chiefs, who frequently refer to members of the government in apparently neutral terms as "our sons," whom they expect to pay respect to their elders. The practice and official recognition of traditional authorities in Namibia is, however, a field fraught with political tension as the case of the breakaway Fwe chieftaincies shows (compare also Friedman 2005).

Subiya Chief Kisco Liswani III plays a key role in this mutual engagement of SWAPO and traditional leaders. With reference to the politics of his Fwe rivals he declares: "We cannot involve ourselves in that secessionist activity. We are the stronghold of the SWAPO party in the region." Chief Liswani's personal background illustrates the continuing strength of kinship ties across the Namibia-Zambia boundary. His father, a member of the Subiya's royal family clan spent most of his adult life in Northern Rhodesia while his mother is a Subiya from Schuckmannsburg. Following the death of Chief Muraliswani in 1996 the current chief was called to take the royal throne at the town Bukalo. Chief Liswani recalls overcoming the initial shock over the end of his career in the Namibian police and the loss of his state pension and insurance benefits (Liswani 2004). In his new role he became active in all aspects of local government affairs, promoting HIV awareness, community based conservancies and eagerly encouraging the SWAPO government's plan to develop Bukalo into Caprivi's second urban center. When I visited Bukalo in 2004 the town was expanding fast, and the building housing the chief's council of advisors had just received new office furniture and a computer, donated by "a businessman" I was informed.

The recent economic boom in the borderland has reached Bukalo a well. In early 2008 chief Liswani III gave several statements to a national newspaper and the Deputy Prime Minister – on a visit to assess emergency aid for Caprivi flood victims. He complained about the allegedly slow pace at which the Ministry of Lands and Resettlement was deciding on a number of land use applications by enterprises willing to invest in his area. The projects included ambitious schemes for water transport and irrigation, the commercial cultivation of rice and sugar cane. The chief appealed for the Deputy Premier's intervention regarding the decision-making process over what one report called Namibia's "largest and most ambitious post-independence agro investment", a €70 million bio fuel production scheme with a supposed potential to create 300 000 permanent and an additional 300 000 temporary jobs.<sup>15</sup> The project envisages the cultivation of altogether 50 000 hectares of what is currently communal land. Some of this land has been the subject of bitter disputes between the Subiya and the Fwe. The ministry's role is to grant final approval and endorse lease title deeds of 49 years agreed on between the Subiya's council of advisors and the foreign investor<sup>16</sup>. Chief Liswani complained in February 2008: "It is a lot of money that could be injected into the economy in terms of direct foreign investment, but most unfortunately the Ministry of Lands has not been very cooperative" (New Era, 28 February 2008).

## **Conclusion**

What we see in the Namibia-Zambia borderland today are clearly not just two cases of African postcolonial state authority successfully bringing peripheral hinterlands within the realm of central state power. Powerful actors in the periphery also try to harness the state to serve their own interests. Chiefs Yeta and Liswani have been both actively lobbying their governments to set the conditions for commercial activities in their areas, and their subjects have returned the favor at the ballot boxes. The way in which the chiefs have seized upon the new opportunities offered by the current scramble for political support and profitable investments in the Namibia-Zambia borderland is remarkable, but it is not unheard of. The historical record from both sides of the borderland shows that a very similar configuration of power and mutual interests characterized the early phase of colonial intrusion in the area. It was through this mutual engagement of colonizers and chiefs that the boundary line along the Zambezi was originally transformed from an abstract claim between the colonizers into a reality of politics and daily life in the borderland.

The cases of the two borderland chieftaincies are therefore illustrative of the need for a more nuanced understanding of the colonial and post-colonial encounter, and the way in which powerful players on the ground and colonizers both emerged in cooperation with each other historically as well as in the present. The long legacy of personal and institutional entanglement between state and traditional authority in the borderland is anything but a straightforward and happy marriage. On the Zambian side the British colonial practice of trying to keep the Lozi leadership in a tight grip, but at arms length mutated into a protracted political, at times bitter, conflict after independence. “Forty years of development going nowhere” is a slogan which in 2004 was still widely used by Lozis to describe their experience of central government since independence. On the Namibian side the SWAPO government after independence wasted no time to continue the colonial practice of recognizing chiefs who fell in line with the demands of administrators in Windhoek, Pretoria and Berlin. Competing claims to authority, whether articulated through “traditional” or party-political channels of power are however dealt with through methods which hark back to the ruling party’s origins in the liberation struggle.

An important factor which keeps the door open for the chiefs to come into the political equation is the necessity for both governments to show that they can deliver development not just for big business, but for their citizens. In the rural areas of the former Lozi kingdom any such development cannot be accomplished without those who control the land and communicate between the state and its citizens. Yet despite their strong ties with the national leadership chiefs Yeta and Liswani are also pursuing other options. They directly negotiate with hopeful investors. This could be regarded as an attempt to by-pass government regulation and “skip the middle man”. But actually, the chiefs are trying to position themselves as the middle man that cannot be by-passed. Vis á vis the investors the chiefs assume a quasi-governmental role. Vis á vis the governments they present the arguments of the prospective investor who wants to “get the job done” without friction from inefficient bureaucracy and infrastructure. Their assumed position as the middle man is grounded in the supposed legitimacy derived from representing the cultural heritage and interests of people at the grassroots. This is not unlike a tightrope walk. On the one hand, Yeta and Liswani cannot risk associating too closely with the politicians. The power base of “their sons” is much more fragile and short-lived than the chiefs’ claim to represent the living link to a much older and deeper source of legitimacy. On the other hand, the chiefs cannot risk to be seen by their people as mere politicians or self-interested profiteers who sell out communal resources for a fast profit. It is the ability to find the balance on that tight rope which has kept Yeta, Liswani

and their predecessors in place as those which cannot be by-passed in the Namibia-Zambia borderland.

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<sup>1</sup> The official English name of the document is 'Anglo-German Agreement of 1890'.

<sup>2</sup> The rationale for the creation of the Caprivi Strip was the same which underlay Cecil Rhodes' dream of a territorial and infrastructural connection from the Cape to Cairo, and the Portuguese attempt to establish the cross-continental link that was expressed in the "Rose-Colored Map" of 1887.

<sup>3</sup> Mamdani explicitly includes British *indirect rule*, French *association* and South African *apartheid* in his concept of decentralized despotism.

<sup>4</sup> In correspondence with other Europeans, Coillard stated clearly that he regarded British protection as the only option for stability in Buluozi and the salvation of its people, as well as a last-ditch opportunity for a favorable deal before more ruthless European forces could encroach upon the kingdom (see Mainga 1973, 178f.).

<sup>5</sup> This was the rationale for Seiner's expedition to the Okavango and Zambezi in 1905-06 (Seiner 1909; Fisch 1996, 16).

<sup>6</sup> Contemporary sources ostracized them as 'lichtscheue Weisse Elemente': 'white elements avoiding the light of day' (Deutsches Kolonialblatt 1908, 1152) and 'weisses Gesindel – Aasjäger und direkt dem Gefängnis entsprungene Verbrecher': 'white trash – poachers and prison escapees' (Streitwolf 1911, 1).

<sup>7</sup> According to Streitwolf, Letia had actively spread rumors that the approaching Germans were likely to massacre the regional population. Whether Streitwolf suspected his British counterparts to have quietly supported this movement of population is unclear, as his own accounts diplomatically avoid addressing this question. It is however clear that the relocation would have increased British, and thereby Letia's hut tax revenue.

<sup>8</sup> For example, the position of Prime Minister was reserved to a Lozi (Pettman 1974).

<sup>9</sup> Subiya chief Muraliswani in 1987 went to the South African Supreme Court of Appeal against Fwe chief Mamili to be recognized as "the Supreme Chief of the tribes and inhabitants of the Caprivi Zipfel". The court decided against Muraliswani (South African Supreme Court of Appeal 1989).



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- <sup>10</sup> Mishake Muyongo and his cousin, former Fwe chief Boniface Mamili are living in Denmark under UNHCR protection.
- <sup>11</sup> These include a new long-distance power line linking Zambia and Namibia, several other road projects and an additional road bridge connecting Zambia, Botswana and Namibia at the easternmost tip of Caprivi.
- <sup>12</sup> Chief Yeta became party vice-chairman in Kaunda's UNIP after Zambia's first president lost power in 1991. In 1994, under the regime of Frederick Chiluba, Senior Chief Yeta and five other opposition leaders were jailed on what became known as "trumped-up treason charges." UNIP and Lozi lawyers rallied behind the accused, and eventually the state prosecutors had to withdraw their charges.
- <sup>13</sup> MMD won 13 of 17 constituencies in Western Province in the 2006 parliamentary elections (Electoral Commission of Zambia 2006).
- <sup>14</sup> These are water and fertile soil for large-scale irrigated commercial agriculture; forests rich in tropical hardwood for timber production; and scenic landscapes, wildlife and a colorful cultural heritage which are marketable for tourism. Foreign investors are also prospecting for oil and alluvial diamonds in the region.
- <sup>15</sup> The overall population of the entire Caprivi Region is ca. 80 000. Namibia's population is ca. 2 million.
- <sup>16</sup> The investor is Israel-based company Ares Ltd. whose chief executive officer is Asaf Nadel. A former Israeli army major with "assignments around the world", Mr. Nadel is now the CEO of a private security firm which provides anti-guerilla protection for British Petrol's oil explorations in Columbia and sells "corner shot" – a gun which can shoot around corners. <http://www.youtube.com/watch?v=DrS8Dub7D70>